

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JOHN ANDREW HOLIFIELD,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION 07-0309-CG-B
THE CITY OF MOBILE MUNICIPAL COURT OF MOBILE, ALABAMA, <u>et al.</u>,	:	
Defendants.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and a de novo determination of those portions of the Report and Recommendation to which objection is made, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** this action is hereby **DISMISSED WITHOUT PREJUDICE**, prior to service of process, pursuant to 28 U.S.C. § 1915(e)(2)(B)(I) as frivolous.

DONE and ORDERED this 19th day of March, 2009.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE